

Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

18 COMES NOW Plaintiff Oscar Lee Olive, IV (“Plaintiff”) files this Complaint against
19 Defendants Hayley Marie Robinson (“Robinson”) and Justus Kepel (“Kepel”) (collectively
20 “Defendants”) and alleges as follows:

THE PARTIES

22 1. Plaintiff Oscar Lee Olive, IV, is an individual currently living in Broward County,
23 Florida ("Plaintiff"). During the events relevant to this Complaint, Plaintiff was a resident at
24 3355 Southern Ave., Suitland, Maryland 20746 in Prince George's County.

1 2. Defendant Hayley Marie Robison ("Robinson") is an individual residing in
2 Whatcom County at 487 Westerly Rd #102, Bellingham, WA 98226.

3 3. Defendant Justus Kepel ("Kepel") is an individual residing in Snohomish County
4 at 5104 93rd Pl SW, Mukilteo, Washington 98275.

5 4. Kiersten Alexandra Klag ("Klag") is a resident of Westchester, West Virginia.

6 5. The true names and capacities of DOES 1 through 20 are presently unknown to
7 Plaintiff and when they become known, Plaintiff will amend this Complaint by identifying the
8 true names and capacities of the Doe defendants herein sued as fictitious Doe defendants;
9 Plaintiff is informed and believes and on such information and belief alleges that each of said
10 Defendants is responsible to Plaintiff in some actionable manner as set forth herein.

11 **JURISDICTION AND VENUE**

12 6. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.
13 § 1332 in that Defendants reside in Washington State within the jurisdiction of this Court, and
14 at all relevant times Plaintiff resided in Maryland, and currently resides in Broward County,
15 Florida. The amount in controversy exceeds \$75,000.

16 7. Personal jurisdiction and venue are proper in this Court because both defendants
17 are located in the Western District of Washington.

18 **STATEMENT OF FACTS**

19 8. On or around June 1, 2016 Plaintiff paid for Defendant Robinson and her
20 boyfriend, Defendant Kepel, to travel to Suitland, Maryland, to work a modeling photo shoot
21 pursuant to a written agreement entered into between Plaintiff and Robinson in or about May
22 2016.

23 9. On or around July 3, 2016 Plaintiff, and Defendants Robinson and Kepel, were at
24 Plaintiff's Maryland residence with another model, Klag. While at Plaintiff's house/home

1 studio Robinson and Kepel demanded that Plaintiff pay them more money for the modeling
 2 photo shoot. Plaintiff declined. Defendants Robinson and Kepel grew angry when Plaintiff
 3 informed them, that pursuant to their agreement, all costs, including the costs paid by Plaintiff
 4 for the Defendants' airline tickets, would be deducted from Robinson's pay. Defendants
 5 Robinson and Kepel stated they "would get even" with Plaintiff and cause him personal and
 6 financial harm. Defendants demands continued through July 6, 2016.

7 10. On or around July 11, 2016, in retaliation for Plaintiff not giving Robinson more
 8 money, additional professional services and a better contract, Defendant Robinson falsely
 9 stated on Facebook that Plaintiff had sexually assaulted Klag on the night of July 3, 2016.
 10 Defendant Robinson also made false factual statements that Plaintiff had engaged in theft,
 11 stealing money from the models. Defendants Robinson and Kepel knew the statements made
 12 against Plaintiff were false as they were present at all times during the night of July 3, 2016
 13 and would later admit they knowingly fabricated their statements to injure Plaintiff personally
 14 and professionally.

15 11. On or around July 5, 2016 through August 30, 2016 Defendants Robinson and
 16 Kepel continued their campaign to extort money and/or services and a more lucrative modeling
 17 contract from Plaintiff. Defendants stated they were publishing the false factual statements
 18 against Plaintiff to extort more money, services and a new modeling contract. However,
 19 Plaintiff refused to give in to Defendant Robinson's demands.

20 12. During this period, on or about July 5, 2016 through August 2016, Defendant
 21 Kepel aided and abetted Defendant Robinson by allowing Robinson to use his Facebook
 22 account as Robinson's account had been shut down by Facebook over her postings, to assist
 23 Robinson and republishing Robinson's known defamatory postings. Defendant Kepel knew his
 24 girlfriend's, Robinson's, statements were false, yet Kepel gave substantial assistance and/or

1 encouraged Robinson to engage in making false factual statements concerning Plaintiff
2 personally and against him professionally.

3 13. On or around November 1, 2016, Robinson admitted she had lied and
4 misinformed third parties that she had made the false factual statements against Plaintiff in his
5 personal and professional capacity intentionally.

6 14. On or about November 2, 2016, Robinson again on admitted on Facebook that her
7 published statements of and concerning Plaintiff and the false claims of sexual misconduct and
8 theft were false.

9 15. Defendants' posted written and video nine times on various social media
10 platforms accusing the Plaintiff of sexual assault, being a pervert, sexual predator, and
11 manipulator along with other outrageous terms.

12 16. Robinson's postings were admittedly intended to expose Plaintiff to hatred,
13 contempt, ridicule or obloquy, to deprive him of the benefit of public confidence or social
14 intercourse, or to injure him in his business, trade, and/or profession as a photographer.

15 17. Robinson's false factual statements were viewed by hundreds of individuals, many
16 in the photography and modeling business in which Plaintiff had established a substantial
17 business and secondary income and career. Defendant Robinson's posting was seen by
18 Plaintiff's clients and his employer, which caused Plaintiff's termination. Plaintiff's
19 termination caused him to suffer a loss of income, pension, benefits, and loss of future income.
20 Plaintiff's business also suffered financially as the direct result of Defendants' false factual
21 statements against Plaintiff. As the result of Defendant Robinson and Kepel's malicious
22 actions Plaintiff has suffered damages exceeding \$100,000.00.

23 18. At all times, Defendants conduct was extreme and outrageous, using Defendants'
24 Facebook accounts as a vehicle to extort money and/or services from Plaintiff under threat of

1 making false statement of sexual misconduct and theft, all for Defendants' personal financial
2 gain, and to injure Plaintiff emotionally and professionally. Defendants' conduct was so
3 extreme, as it exceeded the bounds of decency, and found to be to be regarded as atrocious, and
4 utterly intolerable in a civilized community.

5 19. Defendants' actions were outrageous and extreme and caused Plaintiff extreme
6 emotional distress. Plaintiff suffers from depression, fear, nausea, panic attacks, and found to
7 have physical manifestations in his internal organs such as his liver, as the direct and proximate
8 result of Defendants' outrageous conduct. Plaintiff now requires the use of an emotional
9 support animal for the rest of his life as recommended by his therapist.

10 20. Defendants acted with malice, oppression and/fraud as to warrant imposition of
11 punitive damages.

12 **FIRST CAUSE OF ACTION**

13 **DEFAMATION**

14 **(AGAINST ALL DEFENDANTS)**

15 21. Plaintiff hereby incorporates, incorporates and re-alleges paragraphs 1-20 as set
16 forth above.

17 22. That between July 3, 2016 through August 2016, Defendants Robinson and Kepel
18 made false factual statements against Plaintiff by publishing postings on Facebook that
19 Plaintiff had engaged in unlawful activities, such as sexual misconduct and theft of money.

20 23. Defendants Facebook postings were intended extort money and/or services from
21 Plaintiff, for Defendants' own private use, and were therefore unprivileged.

22 24. Defendant Robinson admitted she had fabricated the false facts she had published
23 of and concerning Plaintiff on Facebook.

24 25. As the direct and proximate result of Defendant's actions, Plaintiff lost his job,

1 benefits, pension, and income. Defendants' conduct also caused Plaintiff's business to suffer
2 financially, losing clients as a result of Defendants' postings, resulting in a substantial loss of
3 income from Plaintiff's photography business.

4 **SECOND CAUSE OF ACTION**

5 **INTENTIONAL INFILCTION OF EMOTION DISTRESS**
6 **(AGAINST ALL DEFENDANTS)**

7 26. Plaintiff hereby incorporates, incorporates and re-alleges paragraphs 1-20 as set
8 forth above.

9 27. Defendants' acts of making false statements of facts against Plaintiff concerning
10 sexual misconduct and theft were extreme outrageous, designed to extort money and/or
11 professional services, and a modeling contract from Plaintiff.

12 28. Defendants' conduct was intended to cause Plaintiff emotional harm.

13 29. As the direct and proximate result of Defendants' conduct Plaintiff suffers from
14 extreme emotional distress. Plaintiff suffers from depression, fear, nausea, panic attacks, and
15 found to have physical manifestations in his internal organs such as his liver, as the direct and
16 proximate result of Defendants' outrageous conduct. Plaintiff now requires the use of an
17 emotional support animal for the rest of his life as recommended by his therapist.

18 30. As the direct and proximate result of Defendants' conduct Plaintiff suffers from
19 extreme emotional distress. Plaintiff suffers from depression, fear, nausea, panic attacks, and
20 found to have physical manifestations in his internal organs such as his liver, as the direct and
21 proximate result of Defendants' outrageous conduct. Plaintiff now requires the use of an
22 emotional support animal for the rest of his life as recommended by his therapist.

23 **AIDING AND ABETTING LIABILITY**

24 31. At all times, Defendants, including Defendant Ketel knew Robinson's statements

1 posted on Facebook were false.

2 32. Defendant Ketel gave substantial and and/or assistance to Defendant Robinson, in
3 a concerted act, to further Robinson's publishing of false factual statements against Plaintiff, to
4 in an attempt to obtain money, and/or professional services, including a more profitable
5 modeling contract for his girlfriend, Robinson.

6 33. Defendants, and each of them, acted in concert, for the common purpose of
7 defaming Plaintiff personally and/or professionally, with the intent of causing Plaintiff to suffer
8 personal injury and/or financial loss. Each Defendant should be held joint and severally liable
9 for the injuries caused to Plaintiff.

10 **DEMAND FOR JURY TRIAL**

11 34. Plaintiff requests trial by jury.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff prays that he have judgment against Defendants as follows:

16 FOR CAUSE OF ACTION NO. 1:

17 a. For all general and special damages to be proven at trial, including but not limited
18 to loss of past and future income, benefits, and pension.

19 FOR CAUSE OF ACTION NO. 2:

20 b. For all general and special damages to be proven at trial, including past and future
21 pain and suffering.

22 FOR ALL CAUSES OF ACTION:

23 c. Award Plaintiff the costs of this action, and
24 d. An award of any other relief as this Court deems just and proper.

1 Dated: July 30, 2018

Respectfully submitted,

2
3 By: /s Oscar Lee Olive

4 Oscar Lee Olive, IV
5 Plaintiff, In Pro Per
6 Oscar.L.Olive@gmail.com
7 (850) 319-9023

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

OSCAR LEE OLIVE, IV

Plaintiff(s),

v.

HAYLEY MARIE ROBINSON and
JUSTUS KEPEL

Defendant(s).

Case No. 2:18-cv-00862-MJP

CERTIFICATE OF SERVICE

I hereby certify that on 7/30/2018 I electronically filed the foregoing

with the Clerk of the Court using the CM/ECF system which will send notification of such
filing to the following:

Hayley Marie Robinson (irelandrosemarie@gmail.com)

and I hereby certify that I have mailed by United States Postal Service the document to the
following non CM/ECF participants:

Justus Kepel 5104 93rd Pl. SW, Mukilteo, Washington 98275

s/ OSCAR LEE OLIVE, IV

Dated Jul 30, 2018

Sign or use a "s/" and your name

Oscar Olive (Plaintiff)
7340 NW 44th Ct.
Ft. Lauderdale, FL 33319
(850) 319-9023

Name, Address and Phone Number of Counsel or Pro Se